

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

IN RE:) BANKRUPTCY CASE
))
CAROLE FAYE BUCHANAN,) NO.: 15-06512
))
Debtor,) CHAPTER 13
))
) JUDGE: JACK B. SCHMETTERER
))

NOTICE OF MOTION

TO: SEE ATTACHED ADDRESSES

PLEASE TAKE NOTICE THAT ON April 18, 2018 at 10:00 am, or as soon thereafter as counsel may be heard, I shall appear before the Honorable Jack B. Schmetterer, U.S. Bankruptcy Judge, 219 S. Dearborn St., Chicago, Illinois 60604, room 682, and shall then and there present the attached Motion and at which time you may appear if you so desire.

CERTIFICATION

I, the undersigned Attorney, Certify that I served a copy of this Notice to the Addresses attached by electronic notice through ECF or by depositing the same at the U.S. Mail at 1 North Dearborn, Chicago, Illinois 60602 at 5:00 P.M. on April 3, 2018, with proper postage prepaid.

McCalla Raymer Leibert
Pierce, LLC

Kinnera Bhoopal
/s/Kinnera Bhoopal
ARDC# 6295897

1 N. Dearborn Suite 1200
Chicago, IL 60602
(312) 346-9088

**Pierce & Associates, P.C. and McCalla Raymer, LLC combined Firms to form the
Firm McCalla Raymer Pierce, LLC.**

**This is an attempt to collect a debt and any information obtained will be used for
that purpose.**

NOTICE OF MOTION ADDRESSES

To Trustee: *by Electronic Notice through ECF*

Tom Vaughn
55 E. Monroe Street
Suite 3850
Chicago, IL 60603

To Debtor:

Carole Faye Buchanan
8633 S Cregier Avenue
Chicago, IL 60617

Served via U.S. Mail

To Co-Debtor:

Ray C. Thomas
8633 S Cregier Avenue
Chicago, IL 60617

Served via U.S. Mail

To Attorney:

Ryan S Fojo
Geraci Law, L.L.C.
55 East Monroe Suite 3400
Chicago, IL 60603

by Electronic Notice through ECF

McCalla Raymer Leibert Pierce, LLC
Attorney For: Creditor
1 N. Dearborn Suite 1200
Chicago, IL 60602
(312) 346-9088
File No. BK-005533-17

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

IN RE:) BANKRUPTCY CASE
CAROLE FAYE BUCHANAN) NO.: 15-06512
fka CAROLE THOMAS,)
Debtor,) CHAPTER 13
) JUDGE: JACK B. SCHMETTERER
)

**MOTION TO MODIFY THE AUTOMATIC STAY AND CO-DEBTOR
STAY**

NOW COMES Wells Fargo Bank, NA by and through its attorneys, McCalla Raymer Leibert Pierce, LLC, and requests that the Automatic Stay and Co-Debtor Stay heretofore entered on the property located at 8633 S Cregier, Chicago, Illinois 60617 be Modified stating as follows:

1. On February 25, 2015, the above captioned Chapter 13 was filed.
2. On July 08, 2015, the above captioned Chapter 13 was confirmed.
3. Wells Fargo Bank, NA services the first mortgage lien on the property located at 8633 S Cregier, Chicago, Illinois 60617.
4. The Plan calls for the Debtor to be the disbursing agent for the post-petition mortgage payments directly to Wells Fargo Bank, NA. Post-petition payments are \$354.55.
5. As of March 30, 2018 the post-petition mortgage payments are due and owing for November 20, 2017. The default to Wells Fargo Bank, NA is approximately \$1,772.75 through March 2018.

6. Wells Fargo Bank, NA also seeks to modify the stay as to co-debtor Ray C. Thomas pursuant to 11 U.S.C. §1301(a).
7. The plan is in material default.
8. Wells Fargo Bank, NA continues to be injured each day it remains bound by the Automatic Stay.
9. Wells Fargo Bank, NA is not adequately protected.
10. The property located at 8633 S Cregier, Chicago, Illinois 60617 is not necessary for the Debtor's reorganization.
11. The Debtor has no equity in the property for the benefit of unsecured creditors. No cause exists to delay the enforcement and implementation of relief and Bankruptcy Rule 4001(A)(3) should be waived.

WHEREFORE, YOUR MOVANT respectfully prays that the Automatic Stay and Co-Debtor Stay on the property located at 8633 S Cregier, Chicago, Illinois 60617, be modified, and that Bankruptcy Rule 4001(a)(3) be waived as not applicable, and leave be granted to Wells Fargo Bank, NA to proceed with foreclosure, and for such other and further relief as this Honorable Court deems just.

McCalla Raymer Leibert Pierce, LLC

By: /s/Kinnera Bhoopal
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